

**EXHIBIT A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Shacknai et al.

Serial No. 10/022,476

Filed: December 18, 2001

Attorney Docket No.: 00-40175-USP

**MITOCIDAL COMPOSITIONS AND  
METHODS**

**DECLARATION OF BHIKU PATEL, Ph. D.**

I, Bhiku Patel, Ph.D., do hereby declare that:

1. I am the Director of Pharmaceutical Development for Medicis Pharmaceutical Corporation ("Medicis"), and have been employed by Medicis since November 1999.
2. Medicis is the assignee of this patent application.
3. Since 1976, I have been involved in the research and development for numerous dermatological products. My Ph.D. is in Physical Pharmacy from the University of Iowa.
4. I am familiar with the above-identified patent application.
5. I know the terms used in claims 1-3, 10, 12, 14, 16-26, 28, 29, 116 and 117 to be understood and used by those of ordinary skill in the dermatological arts.
6. One of ordinary skill in the art would understand that the compositions set forth in claims 1-3, 10, 12, 14, 16-26, 28, 29, 116 and 117 should not be too caustic, as to be dermatologically unacceptable.

718213

7. It is well within the skill of one of ordinary skill in the art to formulate, without undue experimentation, dermatologically acceptable compositions with one or more of the following compounds: organic sulfides, inorganic sulfides, organic mercaptans, inorganic mercaptans, cationic sulfur compounds, H<sub>2</sub>S, sulfuric acid, bisulfides, sulfur dioxide, thiols, and sodium sulfacetamide.
8. The dermatological art is well known and is not unpredictable in the manner of biotechnological arts.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any registration resulting therefrom.

Date: 8-2-2004

Bhiku Patel  
Bhiku Patel, Ph.D.